

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

CLIFTON LEE ROSE,

Plaintiff,

v.

SHIRLEY LOQISE IVEY,

Defendant.

Case Number 18-11600

Honorable David M. Lawson

Magistrate Judge David R. Grand

**ORDER ADOPTING REPORT AND RECOMMENDATION AND  
DISMISSING COMPLAINT WITHOUT PREJUDICE**

Presently before the Court is the report issued on November 1, 2018 by Magistrate Judge David R. Grand pursuant to 28 U.S.C. § 636(b), recommending that the Court dismiss the complaint without prejudice for want of subject matter jurisdiction and failure to prosecute. Although the report stated that the parties to this action could object to and seek review of the recommendation within fourteen days of service of the report, no objections have been filed thus far. The parties' failure to file objections to the report and recommendation waives any further right to appeal. *Smith v. Detroit Fed'n of Teachers Local 231*, 829 F.2d 1370, 1373 (6th Cir. 1987). Likewise, the failure to object to the magistrate judge's report releases the Court from its duty to independently review the matter. *Thomas v. Arn*, 474 U.S. 140, 149 (1985). However, the Court agrees with the findings and conclusions of the magistrate judge.

Accordingly, it is **ORDERED** that the report and recommendation (ECF No. 6) is **ADOPTED**, and the complaint is **DISMISSED** without prejudice.

s/David M. Lawson

DAVID M. LAWSON

United States District Judge

Date: November 27, 2018

**PROOF OF SERVICE**

The undersigned certifies that a copy of the foregoing order was served upon each attorney or party of record herein by electronic means or first class U.S. mail on November 27, 2018.

s/Susan K. Pinkowski  
SUSAN K. PINKOWSKI